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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/427,986	10/27/1999	JOHN SAKSUN SR.	SAK007/JTN	4058

7590 03/28/2002

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EXAMINER

LEE, EDMUND H

ART UNIT PAPER NUMBER

1732

DATE MAILED: 03/28/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/427,986

Applicant(s)

SAKSUN, JOHN

Examiner

EDMUND H LEE

Art Unit

1732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 27-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

DETAILED ACTION

1. Claim 33 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The phrase "said attachment screw" lacks antecedent basis in the claim.

Clarification and/or correction is required.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 27-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Florian (USPN 3843122) in view of Shiotani et al (USPN 4988104). Florian teaches the basic claimed process including positioning weights within a mold (col 2, lns 29-51; fig 3)--as a note, the castings provide weight to the club; molding a main body around the weights including a shaft receiving bore in the main body (figs 2-4); forming a front insert receiving pocket on the main body (fig 3 and 5); inserting an insert into the insert receiving pocket (col 4, lns 5-25; fig 5); using mounting pins (fig 2-3); and molding the front insert pocket in a first molding step (figs 2-3). Florian does not teach positioning a shaft anchoring element in the mold; machining the pocket into the front face of the main body; molding the insert into the pocket; machining a desired loft and groove into the front face; providing an attachment screw; and passing the screw through the bore..

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In regard to positioning a shaft anchoring element in the mold, Shiotani et al teach placing a shaft bore element in the mold such that a shaft can be fixed within the bore thereby forming a usable club (fig 5). Florian and Shiotani et al are combinable because they are related to golf clubs. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a shaft bore element as taught by Shiotani et al in the process of Florian in order to enable a shaft to be securely fixed to the club of Florian. In regard to machining the pocket into the front face of the main body, it is notoriously well-known in the golf club art that machining a pocket into the face of a club or molding the face to have the pocket are equivalent alternatives. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to machine the pocket of Florian instead of molding the pocket since they are well-know equivalent alternatives. In regard to molding the insert into the pocket, it is notoriously well-known in the golf club art to mold an insert into a pocket in the face of the club. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to mold the insert into the pocket of Florian instead of using adhesives in order to better integrate the insert into the pocket of Florian. In regard to machining a desired loft and groove into the front face, such is notoriously well-known in the golf club art in order to produce a high quality golf club. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to finish the club of Florian in order to produce a high quality club. In regard to claims 33 and 34, screws are well-known in the molding art to attach a preform to another preform. Thus, it would have been obvious to one of ordinary skill in

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the art at the time the invention was made to place screws into the bore of Florian (modified) in order to better secure a shaft that will inserted into the bore.

4. Applicant's arguments with respect to claims 27-32 have been considered but are moot in view of the new ground(s) of rejection.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Examiner Edmund Lee whose telephone number is (703) 305-4019. The examiner can normally be reached on Monday-Wednesday and Friday from 8:00 AM to 4:00 PM. The fax number for Examiner Edmund Lee is (703) 872-9615

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jan H. Silbaugh, can be reached on (703) 308-3829.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0661.

EHL

March 25, 2002

Suzanne E. McDowell

SUZANNE E. MCDOWELL
PRIMARY EXAMINER

3/25/02